

REMARKS

Applicant thanks the Examiner for consideration given the present application. Claims 1-7 and 9-13 are presently pending. Claim 8 is canceled. Claims 1 and 7 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claim Rejections under 35 U.S.C. § 103 – Iijama, Hori

Claims 1-6 and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Iijama (“Iijama”, U.S. 5,369,760) in view of Hori (“Hori”, U.S. 6,084,863). This rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, “**a control unit (i) prohibiting, when a first instruction is received, the data transmission of the received data performed by the transmitting unit, and (ii) permitting, when a second instruction is received, the data transmission having been prohibited**”. It is clear that Iijima does not teach nor suggest the above-mentioned claim feature.

Iijima discusses dividing one data string into a plurality of data strings and transmitting these strings together in parallel using two different devices (*See Column 2, Lines 24-40*). Moreover, Iijima discusses transmitting instruction data from a first electronic device to a second electronic device, performing processing based on the instruction data, and returning the processed result to the first electronic device (*See Column 2, Lines 3-9*). Iijima goes on to discuss the second electronic device receiving first instruction data from the first electronic device, performing a processing based on the first instruction and storing data indicating that the processing has been completed (*See Column 2, Lines 9-13*). The second electronic device of Iijima also receives a second instruction from the first electronic device determining whether the processed result has been completed based on the first instruction, performing a processing based on the second instruction data and returning the processed result to the first electronic device (*See Column 2, Lines 13-25*).

Thus, in Iijima there is *no prohibition or permission of data transmission* based on the instruction data. In the claimed invention, however, data transmission of received data is prohibited once a first instruction is received. In Iijima, processing is performed and the processed result is transmitted, there is *no prohibition of data transmission*. Moreover, since Iijima does not teach prohibition of data transmission, Iijima cannot teach permission of *data transmission that was previously prohibited* when a second instruction is received. Hori does not remedy the noted deficiencies of Iijima.

Independent claim 1 recites, *inter alia*, “**wherein said transmitting unit further transmits a signal indicating that the data transmission of the received data is prohibited**”. It is clear that Iijima in view of Hori does not teach or suggest the above-mentioned claim feature. Iijima clearly does not discuss a signal indicating that data transmission of received data is prohibited. Iijima, as discussed above, simply discusses *processing* data based on received instruction, *not permitting or prohibiting transmission of data* based on a received instruction.

For at least the reasons stated above, independent claim 1 is patentably distinct from Iijima and Hori. Claims 2-6 and 12 are allowable at least by virtue of their dependency on allowable independent claim 1.

Additionally, in reference to claim 4, the Examiner refers to column 4, lines 7-10 of Iijima, maintaining that the reference discloses “transmit[ting] a signal indicating that the data transmission of the received data is prohibited.” That is not a correct characterization of the reference.

Iijima merely discloses that the authenticator setting/checking section provided in the second electronic device [IC card] verifies the authenticator and determines, according to a result of the verification, whether data reading is permitted or prohibited. Iijima does not disclose “transmit[ting] a signal indicating that the data transmission of the received data is prohibited, to a device for receiving the data transmitted from the transmitting device.” The device recited in claim 4 offers this function and advantage, not contemplated or disclosed by the reference. Claim 4 is allowable for this additional reason.

Accordingly, it is respectfully urged that the rejection of claims 1-6 and 12 based on Iijima and Hori should be withdrawn.

Claim Rejections under 35 U.S.C. § 103 – Hori, Tanaka

Claims 7, 9-11 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hori (“Hori”, U.S. 6,084,863) in view of Tanaka et al. (“Tanaka”, U.S. 5,909,543). This rejection is respectfully traversed.

Hori is directed towards a repeater control technique of a radio communications system with use of a TDMA (Time Division Multiple Access) and TDM (Time Division Multiplex) signal (*See Column 1, Lines 7-10*). More specifically, the disclosure relates to a radio communication repeater control system which can restrain an erroneous repeater transmission even under circumstances influences by atmospheric interference, and interference signal, a jamming signal or the like when a repeater system using a received level detection is adopted (*See Column 1, Lines 10-16*).

The Examiner relies on Hori to teach “**said operation unit generates a switching operation signal for a purpose of switching a communications status of the antenna of at least one of said transmitting device and receiving device, between a communications-enabled status and a communications-disabled status**”, as recited by independent claim 7. However, Hori actually discusses the logic “0” and “1” to as relating to whether a burst signal has been detected in the received signal (*See Column 6, Lines 8-24*). Moreover, the logic noted in Column 6, wherein the condition memory controller becomes “renewed” or “not detected”, is not equivalent to the above-mentioned feature. There is simply no discussion in Hori of a switching operation signal *for switching a communications status* of the antenna of at least one of said transmitting device sand receiving device, *between a communications-enabled status and a communications-disabled status*. The “renewed” or “not detected” state of Hori simply refers to *whether the time slot of the TDMA signal is unused and whether the signal level of the burst signal is detected* (*see Column 7, Lines 47-62*).

Moreover, independent claim 7 recites, inter alia, “**said transmitting or receiving device includes a control unit for controlling the antenna to be the communications-enabled status or communications-disabled status, when the switching operation signal is received via the operation signal receiving unit**”. As noted above, Hori simply discusses *whether the time slot*

*of the TDMA signal is unused (See Column 6, Linns 33-44). There is simply no discussion of whether the antenna itself is *communications-enabled* or *communications-disabled status*. Whether a time slot has been used in a TDMA signal does not determine the communications status of an antenna since the *signal in Hori is still received regardless of whether the time slot is used or not*.*

Furthermore, independent claim 7 recites, inter alia, “**a communications status recognition unit for allowing recognition of whether or not said communications status of the antenna is in the communications-enabled status or in the communications-disabled status**”. The Examiner relies on Tanaka to teach this feature, admitting that Hori does not teach or suggest this feature. Tanaka, however, does not refer to the above-mentioned feature. Tanaka instead discusses the connection status recognition unit (*See Column 7, Lines 16-22*). This unit can be set by user input and determines the connection status of a communication tool line between terminal devices (*See Abstract*). In Tanaka, there is simply no discussion about whether an antenna is in a communication-enabled status or in a communications-disabled status. The connection status of Tanaka only refers to *whether a specific user's terminal device is activated and what type of communications is activated (See Figures 10A-10B and Column 5, Lines 25-40)*.

For at least the reasons stated above, independent claim 7 is patentably distinct from Hori and Tanaka. Claims 9-11 and 13 are allowable at least by virtue of their dependency on allowable independent claim 7.

Accordingly, it is respectfully requested that the rejection of claims 7, 9-11 and 13 based on Hori and Tanaka should be withdrawn.

CONCLUSION

In view of the above amendment and remarks, Applicant believes the pending application is in condition for allowance.


Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone

number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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